

CLASSIFICATION OFFICE DECISION

Title of publication: IMG-20161103-WA0005

Other known title(s): Not stated

OFLC ref: 1700083.004

Medium: Computer Image File

Publisher: Not stated

Country of origin:

Language:

Applicant: Commissioner of Police

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 03 April 2017

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 03 April 2017

Summary of reasons for decision:

The computer image file is deemed to be objectionable because it tends to promote and support the exploitation of children or young persons for sexual purposes. The file is a colour photograph showing two naked male figures involved in a sexual act. While the image is very blurred and the only face included is heavily shadowed, one figure appears considerably smaller and younger than the other. The sole purpose of the image is sexual titillation or arousal. The image encourages a sexual interest in young people and reinforces the idea that they may be used for the sexual gratification of adults. The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention and is a reasonable limitation on the freedom of expression. The classification reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.